

REMARKS

Applicant has reviewed and considered the final Office Action mailed on April 8, 2003, and the references cited therewith.

Claims 1-9, 11 and 13-20 are now pending in this application.

§112 Rejection of the Claims

Claims 1, 6, 15, 17, 19 and 20 were rejected under 35 USC § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. This rejection is respectfully traversed. FIG. 6 clearly shows an end time of “8:00 am” for each EVENT, such as EVENT 1 620. While the term “end time” is not expressly recited in the specification as filed, such a term is inherent from FIG. 6. If desired, such text may easily be added based on the teaching of FIG. 6 without the introduction of new matter. Further, U.S. Patent Application Serial No. 09/002580 entitled: “SYSTEM FOR TIME-SHIFTING EVENTS IN A MULTI-CHANNEL CONVERGENCE SYSTEM”, which was incorporated by reference, expressly describes a start and end time: “The entry 335 also indicates the start time and the end time for the connection path 330 through the system audio/video multiplexer 329. The start time and end time may also have date designators within the specific entry.” Page 10 of the originally filed application. Such text may also be added to the present application if deemed required.

§103 Rejection of the Claims

Claims 1-9, 11 and 13-20 were rejected under 35 USC § 103(a) as being unpatentable over Shoff et al. (US 6,240,555) in view of Knee et al. (US 5,589,892). This rejection is respectfully traversed, as not all elements of the claims are shown by the references, either alone or combined.

The present invention displays “at least one television channel and at least one scheduled internet channel concurrently...wherein the at least one scheduled internet channel has at least one event with a scheduled start time and a scheduled end time” In Fig 3 of Shoff et al., a list of

television shows is listed, "MURDER SHE WROTE, SEINFELD and STAR TREK NEXT GEN." Associated with each of these television shows is a website. The start time for the show is shown, but there is no indication that this start time corresponds to the website, only that the website is generally related to the television show. There is no indication that an "event" as claimed is associated with the website in Shoff et al. In claim 1, the "internet channel has at least one event with a scheduled start time and scheduled end time" This is clearly not the case with Shoff et al.. As a result, a *prima facie* case of obviousness has not been established because at least one element is missing from such combination.

Independent claim 6 contains language similar to claim 1, and in addition, describes "one or more channel lists integrating the television channels and the internet channels". The channel list in Shoff et al. only identifies the television channels as channels. The internet websites are identified as supplemental content. Clearly not an event with a scheduled start time and a scheduled end time as claimed.

Claim 15, 17, 19 and 20 also contain elements similar to those in claim 1, and distinguishes the references for at least the same reasons. Each such claim refers to an internet channel having events with start and stop times.

The remaining dependent claims each depend from a distinguished independent claim and are believed allowable for at least the same reasons as their respective independent claim.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612-373-6972) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-0439.

Respectfully submitted,

THEODORE D. WUGOFSKI ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
612-373-6972

Date 6/4/2003

By Bradley A. Forrest
Bradley A. Forrest
Reg. No. 30,837

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, MS AF, P.O.Box 1450, Alexandria, VA 22313-1450, on this 4th day of June, 2003.

Candis B. Buending

Name

Signature

Candis B. Buending